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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,325	08/03/2001	Stephen Joseph Ladyansky	D2702	7462

27774 7590 10/25/2002

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EXAMINER

FRECH, KARL D

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 10/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/922,325

Applicant(s)

LADYANSKY, STEPHEN JOSEPH

Examiner

Karl D Frech

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☒ Interview Summary (PTO-413) Paper No(s) 2,3.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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1. The disclosure is objected to because of the following informalities: the websight disclosed on the bottom of page 12 of the current specification must be removed.

Appropriate correction is required.

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1,12 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Freeman et al 6,019,284.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-11,13-17,21,22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al 6,019,284. Freeman clearly anticipates the invention as seen above. Freeman does not specifically disclose any specific form of RAM memory on the card, that this RAM is

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encapsulated in an epoxy resin, that the battery's anode and cathode are connected to this RAM. RAM, SRAM, DRAM are all known form of volatile memory. All batteries have anodes and cathodes as the electrodes for connection to external devices to be powered. Encapsulating chips, including memory chips, and batteries within circuit cards with epoxy resins is old and well known in the art. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to encapsulate a SRAM connected to a battery within the card of Freeman with epoxy resin. This would allow for the card and it's processor to store reusable information in a manner which is structurally secure and by a method that is well established and proven.

7. Claims 2-4,18-20,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al 6,019,284 in view of Bates 5,314,765. Freeman discloses the invention as seen above. Freeman does not disclose that the thin film battery has a solid state electrolyte with lithium phosphorous oxide on the anode. Bates discloses as seen in the abstract a battery with lithium nitride coated on a lithium anode and further that lithium phosphorous oxynitride is coated upon this lithium anode. Although Freeman is silent as to the battery being a lithium battery, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use this lithium battery of Bates in the card of Freeman in order to take advantage of the known advantages of lithium batteries.


8. Claims 24-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan 5,977,745. Ryan discloses a battery recharging apparatus in which a microprocessor is connected

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to a battery, which may be lithium. The microprocessor converts power from an external source to charge a depleted battery. See column 2 lines 23-62 and figure 1. Ryan does not disclose the trickle recharge or the pseudo random charge elements as claimed. However, both are old and well known. Ryan does not specifically disclose that the battery is a thin film flexible battery. However, this too is old and well known. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to recharge a known thin film lithium battery by known methods with the microprocessor based battery charging apparatus of Ryan. This would allow for easy recharging of depleted batteries thereby increasing their usable lifetimes.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl Frech whose telephone number is (703) 305-3491. The examiner's supervisor is Michael Lee whose telephone number is (703)305-3503. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center receptionist whose telephone number is (703)308-0956. The Tech Center fax number is (703) 308-7722.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [[karl.frech@uspto.gov](mailto:karl.frech@uspto.gov)]. All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.



Karl D. Frech  
Primary Examiner, AU 2876

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September 20, 2002